



What to Expect—The Appeal Process

What to expect from your initial appeal request:

- The reason for your delay/denial will be sent to you within five business days from the date your appeal request is received. The reasons are referred to as federal or state firearm prohibitors. A list of the federal firearm prohibitors can be found at www.fbi.gov/nics-appeals. State firearm prohibitors can be found on the Internet for each state.
- Specific criminal history information cannot be released without positive proof of your identity. This can be achieved by supplying a set of your rolled fingerprints.
- In most cases, the NICS Section will request documentation and/or a set of your rolled fingerprints to further your appeal. Sending this information with your initial appeal request will lessen the processing time. The appeal will not be processed until the requested information is received.
- **All documents must contain your NTN.**

You may be referred to a specific agency to obtain documentation to further your appeal:

- You will be referred to a specific agency if the NICS Section was supplied with a set of your rolled fingerprints which match the record used in the evaluation of your firearm background check. However, if the record is not supported by fingerprints, a referral agency may also be provided to you.

Are you the subject of the prohibiting record and wish to challenge the accuracy of the record or seek restoration of your firearm rights?

- ❖ You may be asked to contact a specific agency to obtain documentation showing the record is inaccurate or that the prohibition was nullified. The agency holding the record should submit notification of the correction directly to the NICS Section. Your NTN must be provided with the agency's notification.
- ❖ If you wish to seek restoration of your firearm rights, you may contact the state of your prohibiting record.

If you do not believe you are the same person as the subject of the prohibiting record:

- ❖ You may be asked to contact the agency to obtain proof that you are not the subject of the record. For records that are not fingerprint based, descriptive information can be limited based on varying factors such as system limitations, availability, and state laws minimizing the amount of descriptive data allowable for entry. If additional descriptors can be added to the record by the agency or the agency is able to provide more descriptive information to the NICS Section to support your identity challenge, they should notify the NICS Section. Your NTN must be provided with the agency's notification.

Conclusion of your appeal:

- The NICS Section will notify you in writing with the outcome of your appeal.
- Steps will be taken to ensure all applicable criminal history records are updated to prevent future delays/denials.
- If the appeal research concludes you are eligible to receive or possess a firearm and the criminal history information cannot be updated, you will be provided with a VAF application which may prevent erroneous denials or extended delays for future attempts to purchase. Approval for the VAF results in the issuance of a UPIN that can be used for future firearm purchases. Additional information about the VAF can be found at www.fbi.gov/nics-appeals.